



Common Law Division Supreme Court New South Wales

Case Name: **Adams v Health Care Complaints Commission**

Medium Neutral Citation: [2025] NSWSC 1212

Hearing Date(s): 4 July 2025

Date of Orders: 16 October 2025

Date of Decision: 16 October 2025

Jurisdiction: Common Law

Before: Harrison AsJ

Decision: (1) The plaintiff's application for judicial review is dismissed.

(2) The plaintiff's summons filed 23 November 2023 is dismissed.

(3) The plaintiff is to pay the defendant's costs on an ordinary basis.

Catchwords: ADMINISTRATIVE LAW — judicial review — procedural fairness — Health Care Complaints Commission — decision not to take further steps to progress complaint against dentist — decision reviewed and confirmed by commission — whether judicial review available — failure to take matters into account — public safety — failure to give reasons

Legislation Cited: *Australian Courts Act 1828* (Imp) s 5
Health Care Complaints Act 1993 (NSW) ss 12, 28(8)(b), 92, 99A(2).

Cases Cited: *Ainsworth v Criminal Justice Commission* (1992) 175 CLR 564; [1992] HCA 10
Barton v The Queen (1980) 147 CLR 75; [1980] HCA 48
BQQ15 v Minister for Home Affairs [2019] FCAFC 218
Ceeroose Pty Ltd v A-Civil Aust Pty Ltd [2023] NSWCA 215

Dranichnikov v Minister for Immigration and Multicultural Affairs [2003] HCA 26
Hastwell v Health Care Complaints Commission [2021] NSWCA 22
Hossain v Minister for Immigration and Border Protection [2018] HCA 34
Hot Holdings Pty Ltd v Creasy (1996) 185 CLR 149; [1996] HCA 44
LPDT v Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs [2024] HCA 12
Maxwell v The Queen (1996) 184 CLR 501; [1996] HCA 46
Minister for Immigration and Border Protection v SZSSJ [2016] HCA 29
Mohareb v Health Care Complaints Commission [2023] NSWSC 1224
Mohareb v Health Care Complaints Commission [2024] NSWCA 70
Plaintiff S157/2002 v Commonwealth of Australia [2003] HCA 2
R v Department of Health; Ex parte Source "Reg" v Prosser (1848) 11 Beav 306; 50 ER 834
Informatics Ltd [2000] 1 All ER 786
Wingfoot Australia Partners Pty Ltd v Kocak [2013] HCA 43; (2013) 252 CLR 480

Texts Cited:

Category: Principal judgment

Parties: Charlie Armstrong Adams (Plaintiff)
Health Care Complaints Commission (Defendant)

Representation: Counsel:
Self-represented (Plaintiff)
I Chatterjee (Defendant)

Solicitors:
Self-represented (Plaintiff)
Health Care Complaints Commission (Defendant)

File Number(s): 2025/00067189

Publication Restriction: Nil